

Comments on NEPA Task Force initial report, 12/28/05

I am not entirely convinced that there is a need to amend NEPA to make the process more efficient; the proposed recommendations seem to make it “faster” but the point of NEPA is to hold agencies accountable and make sure that they evaluate all alternatives. In my experience writing NEPA documents for the National Park Service, a lot of good comes out of the process and we get better results (better ideas to provide for visitor use, fewer environmental impacts, increased buy-in by the public, etc.) than if we hadn’t consulted with the public or did additional data collection/analysis. I fear that the proposed recommendations will make NEPA so fast that it will fail to provide managers with enough information and discussion to make thoughtful decisions.

I am particularly concerned about the following three points:

- 1) Recommendation 2.1 Direct CEQ to prepare regulations giving weight to localized comments. Public lands belong to all Americans and no one constituency should have more say than anyone else. Local people will advocate for local or state causes (and they have every right to do that), but if local people have an overwhelming influence on the way federal lands are managed, then we will be managing federal lands to meet local or state priorities, which may not be in the best interest of the American people as a whole.
- 2) Recommendation 3.1 Amend NEPA to grant tribal, state and local stakeholders cooperating agency status. It is the federal government’s responsibility alone to be accountable for actions effecting federal lands. To amend NEPA in this way would dilute that responsibility and give more power to these other entities that will not remain objective in the decision-making process. It is the role of these entities to advocate for their own well-being. It is the role of the federal government to be arbiters of value, and to reach a consensus that is suitable for everyone.
- 3) Recommendation 3.2 Direct CEQ to prepare regulations that allow existing state environmental review process to satisfy NEPA requirements. I support eliminating overlapping requirements; however, existing state regulations are often weaker than federal ones (In the example cited in the report, it would be important to note that Texas may have a faster process, but as a result it’s one of the most polluted places in the country). Only dismiss a federal requirement if the state requirement is *at least as* strict and comprehensive as the requirement under NEPA.

Thank you,

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